

Recommendation: **GRANT PERMISSION**

00/51664/019 - Retention of 2 metre high close boarded fence to North East site boundary adjacent to 37a Jubilee Road in lieu of boundary wall approved pursuant to planning permission 98/51664/17, S106,14/02/2003

96/51664/014 - Continued use of former taxi office as pizza preparation and delivery premises, PERM,05/08/1998

03/51664/020 - Change of use of ground floor club/function room to motorcar showroom (sui generis use), including 2No. new roller shutter doors., PERM,10/02/2004

08/51664/021 - Change of use of club/function room to motor car showroom., REF,09/12/2008

08/51664/022 - Discharge of Condition No.s 3 & 7 of Planning Permission 03/51664/020., PERM,09/01/2009

09/51664/023 - Single storey extension to existing Social Club to provide ancillary club room., PERM,11/05/2009

09/51664/024 - Application for non-material changes to Planning Permission 09/51664/023 to reduce size of extension and increase window size., PERM,16/11/2009

87/17213 - Change of use of Unit 48 from Sports Hall to warehousing (Class B.8. - storage and distribution) including new mezzanine floor, UNK,22/10/1987

GEN/13/00461 - Licensing Application for Snooker Club., 05/06/2013 15:06:59

3 Proposal

Change of use of ground floor Class D2 function room to Class B8 warehouse with trade counter and insertion of roller shutter door to north east elevation.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS1	(Health and Wellbeing)
CS16	(High Quality Design)
CS2	(Employment)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Retail and Town Centres:

No objections

Development Engineer:

No objections

Planning Policy:

Initial response:

Concerns over the loss of the ground floor unit as it currently provides a community use and no marketing has been carried out to justify its loss and change of use to Class B8. This is contrary to Policy DM2 of the Local Plan.

Officer Note:

Further information was provided by the agent advising that two commercial agents were approached with a view to placing the premises on the market. Both agents declined to market the site as the valuations indicated that the likely current market price for the premises was less than the price the applicants paid in 2002 which would result in significant and unsustainable losses. The building was also considered for a bowling alley however, this was not progressed as it was felt the building was too small and the location was unsuitable on an industrial park.

Further Policy response:

Although they have not undertaken formal marketing, Tradeamp Ltd had approached two commercial agents prior to submission of this application with a view to placing the premises on the market. Both of the agents' valuations had indicated that the likely

current market price for the premises was less than the price paid for it in 2002. This would leave the applicant with significant losses if it were able to sell the premises under their existing authorised use. The discussions had also centred on the viability of alternative uses of the site including a ten-pin bowling alley, but it was apparent that the building's size was too small and the location not considered desirable for that alternative use. The building would also require extensive investment before it could be occupied by another community use.

The use of the ground floor bar and function room has declined primarily as the result of the closure of Waterloo Football Club in 1998 and subsequent redevelopment of the pitch for housing, as set out in the Planning Statement. This has been a gradual process; however the snooker hall on the first floor has evidently undergone increased loss of revenue as shown by the profit and loss accounts referred to in my previous comments.

The agent has confirmed in his email that the proposal would retain a bar as part of the snooker hall on the first floor, and this should help to encourage the snooker hall's continued use, as well as retaining a community use at the site. The snooker club is currently only breaking even and there is a risk that prolonged vacancy of the ground floor whilst a formal marketing process is undertaken could threaten the club's financial viability and potentially result in its closure.

The applicant also points out that the function room is not a good neighbour to the adjacent housing and can result in late night noise that should be treated as a further material consideration.

Conclusion: Approve: On balance, taking account of the risk of loss of an existing community facility (the first floor snooker hall and bar) and the fact that the snooker hall would continue to operate with a bar on the first floor, I would consider that these factors do outweigh the loss to the community of the vacant ground floor bar and function room. The new use for the ground floor of the building would also provide further employment and create an active use for an otherwise part-vacant unit.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 12

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the

main issues arising from this application are:

- (i) Principle of development
- (ii) Loss of a community use
- (iii) Impact on local amenity
- (iv) Parking

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Loss of a community use

The proposal would in principle, result in the loss of a community use in the form of a function room. It was previously associated with a local football club before this moved away. Policy DM2 of the Local Plan (Core Strategy) indicates that the loss of land and premises currently or last used as community facilities should only be permitted if the applicant has demonstrated an active marketing process has taken place to show that the facility is no longer viable for its authorised use, or another community use, and that it is no longer required.

Planning Policy have been consulted on the application and initially advised that as no active marketing process covering a six month period has been demonstrated, the proposal does not meet the requirements of Policy DM2. Paragraph 10.08 of the Core Strategy states that an applicant proposing a change of use of such a facility must also demonstrate, through an appropriate consultation exercise, that it is no longer required by the local community and that it is not suitable for another alternative use. Although the accompanying Planning Statement to the application states that the first floor snooker club would be retained to provide a continued community use, the proposal would nevertheless constitute loss of part of that community use and it seems likely that the loss of the function room would reduce the attraction of the club to potential visitors.

However, further justification was provided by the applicant who advised that two commercial agents were approached with a view to placing the premises on the market. Both agents declined to market the site as the valuations indicated that the likely current market price for the premises was less than the price the applicants paid in 2002 which would result in significant and unsustainable losses. The building was also considered for a bowling alley however, this was not progressed as it was felt the building was too small and the location was unsuitable on an industrial park.

It is considered that on balance, taking account of the risk of the loss of an existing community facility (the first floor snooker hall and bar) and the fact that the snooker hall would continue to operate with a bar on the first floor, that these factors outweigh the loss to the community of the vacant ground floor bar and function room. Furthermore, the new use for the ground floor of the building would also provide further employment and create an active use for an otherwise part-vacant unit.

(iii) Impact upon local amenity

The site is located within an industrial area with residential development to the east. It is considered that the proposed B8 use would be unlikely to result in any significant rise in potential noise disturbance such as a Class B2 use could. Therefore it is

considered that given the existing character of the area, the proposed use would not be inappropriate.

The proposed external alterations would be minor in nature and face onto the car park, replacing an area of glazing with a roller shutter door. The character of the works is considered in keeping with the industrial character of the surrounding area.

(iv) Parking _

The proposed development would result in the retention of the existing vehicle parking and service area to the north of the building for use by the proposed Class B8 use. The Council's Highways Engineer has been consulted and has not raised any objections to the proposal.

8 **Conclusion**

On balance, the application is considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00538 subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - DN: 100047474
Site PPlan - DN 03
Proposed elevations and floor plan - DN 02

Reason: - To ensure provision of a satisfactory development.
- 3 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.